

<div>FILED U.S. DISTRICT COURT IN THE UNITED STATES DISTRICT COURT 2013 JUN 18 A 10:17 DISTRICT OF UTAH, CENTRAL DIVISION DISTRICT OF UTAH</div>	
<div>DAVID MUTTERSPAW, Plaintiff, v. AT&T, CRICKET WIRELESS, THE SALT LAKE CITY WEEKLY, SALT LAKE COMMUNITY LIBRARY, SALT LAKE TRIBUNE, SPRINT, BOB TEMPLETON, an individual, and WELLS FARGO, Defendants.</div>	<div>BY: <u>DEPUTY CLERK</u> ORDER ADOPTING REPORT AND RECOMMENDATION Case No. 2:013-cv-00003 District Judge Dee Benson</div>

Before the court is the Report and Recommendation issued by United States Magistrate Judge Dustin Pead on May 10, 2013 recommending:

1. Plaintiff David Mutterspaw's complaint be DISMISSED for failure to effect proper service, and pursuant to the *in forma pauperis* statute.
2. As a result of the dismissal, plaintiff's Motion to Amend in order to add an additional defendant (Dkt. No. 10), Defendant Salt Lake Tribune's Motion To Dismiss (Dkt. No. 16), Defendant Cricket Wireless' Motion To Dismiss (Dkt. No. 20), Defendant Wells Fargo's Motion To Dismiss (Dkt. No. 27) and Defendant Wells Fargo's Amended Motion To Dismiss (Dkt. No. 28) be DENIED as MOOT.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) days after receiving it. Neither party has filed such an

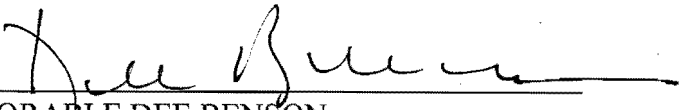
objection.

Having reviewed all relevant materials, including the reasoning set forth in the magistrate judge's Report and Recommendation, the court ADOPTS the Report and Recommendation as described above.

It is so ordered.

DATED this 17th day of June, 2013.

BY THE COURT:



HONORABLE DEE BENSON
United States District Court Judge